



Tulchin, Matt

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Tuesday, October 15, 2024 2:34 PM
To: Rodriguez, Orlando; Soren Young; Tulchin, Matt
Cc: Duprey, Michelle; Matthew Lindenbaum; Jenni Jokerst
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Thank you for the additional information. Plaintiffs' responses are below:

- RPD 21-2: Plaintiffs will agree to modify this search to use a NEAR(50) proximity modifier, which results in the following search term:

(long* OR length OR time OR duration) NEAR(50) (cell OR room)

- RPDs 41 and 46: Okay. Please run the terms as written.
- RDP 54: Plaintiffs will agree to remove "juvenile," "youth," and "minor" from this search term and to reduce the proximity modifier to NEAR(100), which results in the following search term:

(inspect* OR audit* OR monitor* OR "site visit*") NEAR(100) (center* OR detention OR facilit* OR YDC OR JDC OR DC OR alexander OR cabarrus OR chatham OR cumberland OR dillon OR lenoir OR hanover OR pitt OR Jenkins OR wake)

Please let us know when Defendants plan to begin producing responsive documents hitting upon the earlier agreed upon search terms. We would like to receive those on a rolling basis and thus far have not received any documents. Thanks.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Tuesday, October 1, 2024 2:35 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob,

Below please find the feedback I have received regarding the other RPDs.

- RPD 21: For RPD 21-2, can you try running that search w/50 and w/25 and see what the results are (instead of w/100)?
 - NEAR(50)
 - The search is completed
 - 51,614 item(s) (21.49 GB)
 - 7,024 unindexed items, 32.31 GB
 - NEAR(25)
 - The search is completed
 - 23,846 item(s) (10.99 GB)
 - 7,024 unindexed items, 32.31 GB
- RPDs 41 and 46: Are you able to tell what terms are driving the higher numbers here? For example, we are using the first half of the search for each of the two searches. Is one of those terms (for example "center" or "youth") pulling in a disproportionate amount of hits? If so, maybe we can work around a problematic term.
 - Unfortunately, the tool that DIT is using does not allow it to see which terms are pulling more data.
- RPD 54: If you remove "juvenile", "youth", and "minor" from the search, does that lower the numbers significantly? If not, what about removing those terms plus changing the connector from w/200 to w/100?
 - Remove "juvenile", "youth", and "minor" from the search.
 - The search is completed
 - 157,554 item(s) (58.66 GB)
 - 7,022 unindexed items, 32.31 GB
 - Remove "juvenile", "youth", and "minor" from the search, edit NEAR(100).
 - The search is completed
 - 140,476 item(s) (52.81 GB)
 - 7,022 unindexed items, 32.31 GB

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516
orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Friday, September 27, 2024 4:59 PM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Thank you.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>
Sent: Friday, September 27, 2024 4:58 PM
To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob – I'll get the folks started on the pull for RPD 12, 13-1, 14, 19, 21-1, 29, 30, 31, 47, and 50.

I'll follow up with them on the others and get back to you.

Be well,

Orlando

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From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Friday, September 27, 2024 4:52 PM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

The revised hit counts look reasonable for RPD 12, 13-1, 14, 19, 21-1, 29, 30, 31, 47, and 50. Please go ahead with those to the extent you have not already. For the remainder:

- RPD 13: We will agree to table RPD 13-2 and 13-3 right now with the idea that some of the other requests might cover what we need in this one, reserving all rights though to seek these documents after reviewing what you produce for the other requests.
- RPD 21: For RPD 21-2, can you try running that search w/50 and w/25 and see what the results are (instead of w/100)?
- RPDs 41 and 46: Are you able to tell what terms are driving the higher numbers here? For example, we are using the first half of the search for each of the two searches. Is one of those terms (for example "center" or "youth") pulling in a disproportionate amount of hits? If so, maybe we can work around a problematic term.
- RPD 54: If you remove "juvenile", "youth", and "minor" from the search, does that lower the numbers significantly? If not, what about removing those terms plus changing the connector from w/200 to w/100?

I think that should cover all of the searches but let me know if I missed any.

Can you also confirm the date range and list of custodians you are running the searches against? Thank you.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Monday, September 23, 2024 11:42 AM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Importance: High

Rob,

Attached is the hit count for the revised search. Please review and let me know if we should proceed with this pull.

Be well,

Orlando

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From: Rob Lindholm <robert.lindholm@nelsonmullins.com>

Sent: Wednesday, September 11, 2024 12:44 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Thanks for the email Orlando. Yes, I think it makes sense to re-run the search terms and get new hit counts. I don't think there is too much we can do on the call until we see what the new hit counts will be so I will cancel the call today. Do you have an expectation of when your IT team will be able to get you those results?

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Wednesday, September 11, 2024 12:32 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land
Importance: High

Rob,

After you raised this issue, I looped in the IT folks that ran the search to try to get some insight. They informed me that after reviewing the concern and the search requests, they have discovered that the syntax they used to conduct the searches (Boolean operators) has some limitations when used with the Microsoft email search tool that they use. To improve the accuracy and efficiency of the requested search, they recommend using an alternative syntax that better aligns with the tool's capabilities.

Do you want us to proceed with re-running the search with an alternative syntax? If so, we can do the same thing, run the search and share the results with you all before we pull the data and start reviewing it.

Let me know if you still want to talk at 2. I am happy to, but I won't have any more information about the technical issues beyond what is in this email.

Be well,

Orlando

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Please note messages to or from this address may be public records.

From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Tuesday, September 10, 2024 11:29 AM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>

Subject: Re: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Tomorrow at two works. It'll be just Matt and I.

Be well,

Orlando L. Rodriguez

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>

Sent: Tuesday, September 10, 2024 11:26:20 AM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Jenni Jokerst <jenni.jokerst@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Thanks Orlando. Could we do 2 PM tomorrow? If so, I'll send a calendar. Just let me know who from your side will be joining.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Tuesday, September 10, 2024 9:01 AM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: Re: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

We're available after 10:30, except from 2-3. Widely available tomorrow.

Following up on video and will update you ASAP.

Be well,

Orlando L. Rodriguez

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>

Sent: Monday, September 9, 2024 9:51:36 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Can we set up a time this week to discuss the results in the Excel file you attached below? I have some concern that the new results in Column D don't make sense in many cases. For example, Defendants previously ran "Children's Alliance" over 10 custodians and that yielded 352 items (row 18, RPD 50). We proposed that the search be broader and asked Defendants to run "children* w/3 alliance". Our proposed search should have picked up every one of the previous hits plus more because the search was broader, we added an additional year, and we added 7 named custodians plus supervisors, assistant directors, teachers/educational department employees at each juvenile detention center, and mental health services staff at each juvenile detention center. Instead, the excel file states that it actually decreased to just 9 documents. I'm struggling to see how that would be possible. There are other revised counts that similarly seem problematic.

Please let me know when you are available to meet and confer this week. Thank you.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>
Sent: Tuesday, September 3, 2024 1:37 PM
To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob,

The updated data amounts are in bold in column D just underneath the revised search terms. Some searches were higher, but a quick scan indicates most were lower and some significantly lower.

Be well,

Orlando

Special Deputy Attorney General
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From: Rodriguez, Orlando
Sent: Tuesday, September 3, 2024 9:08 AM
To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@NCDOJ.GOV>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Good timing, Rob.

Just got word that the pull is complete. We should be uploading the data soon to begin our review.

I believe the revised search parameters did cut down on the volume. I don't by how much, but I can follow up.

Be well,

Orlando

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From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Tuesday, September 3, 2024 8:58 AM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
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Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Can you please provide an update on when you plan to circulate updated counts on the search term strings/custodians we have been discussing in the email chain below? Thank you.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>
Sent: Tuesday, August 13, 2024 3:54 PM
To: Soren Young <soren.young@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Thanks, Soren.

Be well,

Orlando

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From: Soren Young <soren.young@nelsonmullins.com>

Sent: Tuesday, August 13, 2024 3:46 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Rob Lindholm <robert.lindholm@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

That note is a shorthand referring Defendants to the search terms Plaintiffs have proposed for the preceding ("See above") or subsequent ("See below") requests. For instance, Plaintiffs' proposed search term for Request 29 also covers the subject matter of Request 28. Similarly, Plaintiffs' proposed search terms for Request 14 cover the subject matter of Requests 15, 17, 18, and 20.

Best,
Soren



SOREN YOUNG ASSOCIATE

soren.young@nelsonmullins.com

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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Tuesday, August 13, 2024 2:46 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob – for RPDs 15, 17, 18, 20, and 28, in your revised search terms column, you write "See below--terms below should capture information requested." What does this mean? Are you wanting us to run the search as we proposed? Or are you trying to give us some other direction?

Be well,

Orlando

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From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Monday, August 12, 2024 3:43 PM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Thanks for the email. To the extent that the search terms pull back a small population of documents, for example, "Children* w/3 alliance", I think it probably makes sense to pull those and do your review. For the searches that previously came up with hundreds of thousands of documents for review or as revised come up with something similar, it would probably be useful for everyone if you sent us the new document counts and we can think about whether there is any way to revise the search to reduce the hit counts while still targeting responsive documents.

On RFP 14, if you could let me know what seems to be the driver of that hit count that would be helpful so we can try to potentially brainstorm lowering the volume. For example, if someone has one of the search terms in an email footer somehow or something similar it would be great to understand that so we can try to work around that. That RFP of course is central to our case.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Monday, August 12, 2024 9:48 AM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Importance: High

Received. To confirm, are you envisioning that we would run these searches and provide you with the data amounts for you to review before we actually start the pull? Or are you wanting us to just do the pull based on this?

I ask because given that you're adding inboxes and expanding the date range, I anticipate the amounts will either stay the same or increase, even though you are adding limiting terms.

Be well,

Orlando

Special Deputy Attorney General

Special Litigation Section

Phone: 919.716.6516

orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>

Sent: Friday, August 9, 2024 9:36 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Attached are our proposed edits in red to the search terms you proposed. In addition to the additional custodians we proposed in the attached, we believe Defendants need to also include as custodians the supervisors at each of the juvenile detention centers for the relevant time period (including supervisors who are no longer there, such as Talonda Johnson at Cabarrus), the assistant directors at each facility (such as Ryan Abbott at Cabarrus), teachers/educational department employees at each juvenile detention center, and mental health services staff at each juvenile detention center.

Let me know if you would like to discuss. Thanks.

Best,
Rob



ROBERT L. LINDHOLM PARTNER
robert.lindholm@nelsonmullins.com

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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Friday, July 26, 2024 10:15 AM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land
Importance: High

Rob,

During our meet and confer last week, you all requested that we share the data amounts for the contemplated search terms. I just received that information back and it is attached.

Please let us know if you wish to scale back some of the search terms or whether you are fine with us pulling down this data as indicated in the spreadsheet. As I mentioned during the meet and confer, this is a labor intensive and time consuming process, so the Department's IT folks really only want to do this once. Thus, we'll wait to begin the scrap and download until we get clarity and agreement on the parameters.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516
orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rodriguez, Orlando
Sent: Wednesday, July 24, 2024 10:17 AM
To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@NCDOJ.GOV>; McHenry, Laura <LMcHenry@ncdoj.gov>; Long, Austine M <austine.long@ncdps.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob,

We will be objecting to your request for an order from the court described below for two reasons.

First, this is an entirely new request and is not encompassed in your emergency motion, which is now moot.

Second, and more importantly, a court order is not necessary nor appropriate. As I explained to you yesterday, there is a process through which you can seek to visit juveniles who are presently housed in Juvenile Justice facilities. As I understand it, you all have not tried to avail yourself of that process to date. Accordingly, you cannot argue that you have attempted to follow these normal processes (which are in place for good reason) and been blocked. Thus, there is no basis in fact, or in law, to support your request that the court enjoin the Department from following it's normal procedures.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516
orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Wednesday, July 24, 2024 8:20 AM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>; Long, Austine M <austine.long@ncdps.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Thank you again for the time yesterday to meet and confer on the issue of interviews. My understanding from your briefing and our meet and confer is that Defendants do not have an objection to Plaintiffs and their experts interviewing non-Named Plaintiff juveniles who are being detained at North Carolina juvenile detention centers without the presence of Defendants or their counsel as long as they conduct those interviews outside of the Rule 34 context. Accordingly, we will ask the Court today to order that Defendants allow and will direct their employees to allow Plaintiffs' counsel and their experts to interview, outside of the Rule 34 context, non-Named Plaintiff juveniles who are being detained at the juvenile detention centers after Plaintiffs provide a parental consent form in the form of the parental consent attached above, which is the same form Defendants provided Plaintiffs except for it removes the paragraph about Defendants' ability to participate in the interviews. Please let me know prior to this morning's hearing if Defendants would consent to such an order.

Plaintiffs reserve all rights. Thank you.

Best,
Rob



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From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Friday, July 19, 2024 5:53 PM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

We plan to be at the Cabarrus Regional Juvenile Detention Center at 9 AM on Monday morning. If the Court schedules a status conference for 9 AM, we will plan to attend the conference via Zoom/phone and then begin the inspection after the conclusion of the conference.

Best,
Rob



ROBERT L. LINDHOLM PARTNER
robert.lindholm@nelsonmullins.com

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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Friday, July 19, 2024 5:42 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Importance: High

Rob,

I just tried your cell. Can you confirm what your plan is on Monday. Are we doing the inspection at Cabarrus on Monday morning? Your emergency motion requests a status conference for Monday morning. Assuming the court sets one, how are we to do that plus an inspection?

We are prepared to move forward with the inspection on Monday which can include interviews but only upon the terms that we set out in the consent form. Alternatively, we have the inspections without the interviews. If your plan is to secure clarity from the court before the inspections, considering that its after hours on the Friday before, it is most likely that we'll need to get different dates for an inspection.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516

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Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Friday, July 19, 2024 2:39 PM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

The below persons will be attending the inspections on Monday and Tuesday:

- Rob Lindholm (Nelson Mullins)
- Michelle Duprey (Council for Children's Rights)
- Jillian Willis (Nelson Mullins)
- Soren Young (Nelson Mullins)
- Colin Duncan (Nelson Mullins)
- Dr. Louis Kraus (Plaintiffs' consultant)
- Cornita Riley (Plaintiffs' consultant)

Plaintiffs continue to disagree with Defendants' position that Plaintiffs' counsel and consultants cannot interview juveniles at the detention centers who are not named plaintiffs without Defendants and their counsel being present during the interview. Because the interviews would relate to the conditions in which Defendants are holding the juveniles, the presence of Defendants and their counsel would have a chilling effect on the juveniles' willingness to speak freely. Plaintiffs expressly reserve the right to raise this issue with the Court and do not intend by conducting the inspections to waive any arguments.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>
Sent: Friday, July 19, 2024 12:52 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>; McHenry, Laura <LMcHenry@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob,

Thank you for the email and the case.

I will start by pointing out a few things, some of which are obvious but still worth mentioning. The *Erie County* case is out of the western district of NY and thus not binding in our jurisdiction. Moreover, the pertinent ruling in the case turns on the judge's assessment that allowing defense counsel to be present during the interviews would chill the interview. This conclusion is not based on any rule or law. Indeed, the only case law cited in *Erie County* is a district court case out of California that concerned a fight over whether interviews of prison staff were permitted under Rule 34—an issue not pertinent here. Additionally, the situation in *Erie County* seems quite distinguishable from our case. In *Erie County*, the very purpose of the interview was to question the inmates' mental health treatment and suicide prevention issues. These issues are clearly sensitive topics that folks may not be willing to discuss openly in front of larger groups of people. Our case, however, concerns DPS' policies and practices around room confinement. Lastly, while not completely clear, *Erie County* seems to concern adults, not minors. All this to say—this case does not alter Defendants' position.

The parties to litigation are fully permitted to participate in all aspects of an inspection conducted under Rule 34. Your request to interview juveniles is being made in the context of a discovery event, a Rule 34 inspection. As such, Defendants are entitled to monitor all aspects of that inspection, including your interviews of juveniles. For that reason, Defendants will insist on being present for any interviews you conduct as part of your Rule 34 inspections. Out of an abundance of caution, to guard against any potential chilling impact that the *Erie County* case references, only DOJ lawyers will present during the interviews, no DPS personnel will be present.

It is also worth pointing out that you are correct that Defendants are not entitled to participate in your interview of witnesses or putative class members, where those interviews occur as part of a private communication, such as interviews conducted with individuals who are no longer housed at a facility or interviews conducted as part of a routine visit with a juvenile that is set up in the normal course. In those instances, Defendants would have no knowledge of those communications and certainly no basis to insist that they be present during the interviews—this is because those are not discovery events but rather are private communications. However, interviews conducted during a discovery event pursuant to Rule 34 is a very different thing. Those interviews are part of a discovery process which is intended to occur in full view of the litigants. Accordingly, Defendants maintain their position that to the extent you seek to conduct interviews as part of your Rule 34 inspections, counsel for Defendants must be present during those interviews.

If you wish to proceed with interviews next week as part of your inspections, please use the consent form that I shared yesterday, in its entirety.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516
orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Friday, July 19, 2024 10:47 AM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Defendants and their counsel are absolutely not entitled to participate in our interviews of witnesses, whether they are named Plaintiffs, putative class members, or otherwise. With respect to your request for authority supporting our position, I have attached a case that holds exactly that: "An inmate, like any other non-party witness or potential witness, can be informally interviewed (if willing) by either party. Moreover, requiring that inmates be deposed (or interviewed) in the presence of County attorneys or employees would likely chill their willingness to speak to investigators or to speak candidly. This, of course, defeats the whole purpose of speaking to inmates in the first place." *U.S. v. Erie County*, No. 09-CV-849S, 2010 WL 986505, at *3 (W.D.N.Y. March 17, 2010). The Court in *Erie County* ultimately ordered the Defendants to allow the interview of inmates "without County lawyers or employees present." *Id.* at *4.

Please advise whether Defendants will reconsider their position on this issue.

Best,
Rob



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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Friday, July 19, 2024 10:02 AM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob,

Your request to interview youth detained at DPS facilities is part of your request to inspect land and people within DPS' control. Thus, Defendants are entitled to participate fully in all aspects of that inspection, including any interviews of youth. To our knowledge, the individuals you seek to interview are not your clients, but rather are putative class members. As such, I am not aware of any claim to confidentiality or privilege you have on conducting those interviews. If you have any such authority, please share it. Otherwise, DPS' position is articulated in the consent form.

Additionally, we reject your implication that we somehow or another waived some objection on this issue. Our objection is clearly stated and was expounded upon during our meet and confer. That DPS' counsel planned on being present during the inspection, including any interviews conducted as part of that inspection, was, from our perspective, presumed. This is especially true since the request does not request private or confidential interviews. Had it, we would have certainly articulated a specific objection on that point.

So it seems Plaintiffs' have a decision – either we proceed next week under the terms set forth in the consent form that we proposed, in its entirety, or we tee this up for Magistrate Judge Webster.

Be well,

Orlando

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Special Litigation Section
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orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>

Sent: Thursday, July 18, 2024 8:19 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Thank you for sending the draft. We have no objections to the language you propose in the consent except for the following paragraph:

Lawyers for the North Carolina Department of Public Safety in *Doe v. NCDPS* will also be present during the questioning. If you consent to Plaintiffs' lawyers or their agents' questioning, the child may also be questioned by lawyers from the North Carolina Department of Justice, who represent the Department of Public Safety in *Doe v. NCDPS*.

At no point in time, either in Defendants' Responses, our meet and confer, or in any email communication, did Defendants state that they would also require that Defendants' counsel be present during any interview and would potentially question the juvenile. Any unasserted objection to that effect is untimely under the Federal Rules of Civil Procedure.

Furthermore, I am aware of no such law, Federal Rule of Civil Procedure, or local rule that requires this. Notably, you have not pointed to any such law or rule to support the inclusion of this paragraph. Plaintiffs are entitled to interview witnesses in this case. It just so happens that in this case, some of these witnesses are being detained in facilities run by NCDPS. Under no circumstance does that mean that NCDPS and its attorneys have some right to participate in Plaintiffs' interviews of witnesses who are at these facilities.

Finally, Plaintiffs' ability to interview juveniles at the juvenile detention centers is not conditioned on the parents consenting to their children being interviewed by Defendants and their counsel. The two are completely separate. Defendants, if they wish, can attempt to interview juveniles in any of these facilities as well, as long as they receive consent from the juveniles' parents.

We are prepared to use the parental consent form you sent with the removal of the above paragraph. Please let me know as soon as possible if Defendants will agree. Thank you.

Best,
Rob



ROBERT L. LINDHOLM PARTNER
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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Thursday, July 18, 2024 6:52 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land
Importance: High

Rob,

I respectfully reject the notion that Defendants have been unreasonable in any respect regarding the consent form, or any of these discovery matters.

DPS considers this to be a very important matter and does not take its obligations in that regard lightly. We timely provided responses and objections to your request. Then after we had our meet and confer (just over 48 hours ago) we immediately began discussing this matter with our client. Moreover, since this morning after receiving your draft consent form, Matt and I, along with multiple DPS personnel have worked diligently turn your three-sentence consent form into something that actually provides fully informed consent and lays out far more detail than your initial form. With respect, doing so in a one-day turnaround, can hardly be considered unreasonable.

In any event, after receiving your email threatening baseless legal action, we opted to pause our evenings and complete our reworking of the consent form, which is attached. This is the form that DPS will insist upon being executed prior to your interviewing any juveniles next week during the inspections.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516
orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rob Lindholm <robert.lindholm@nelsonmullins.com>

Sent: Thursday, July 18, 2024 5:48 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

We are trying to work with you here, but no, I don't think that turnaround is reasonable. Defendants raised in their Responses to Plaintiffs' Requests for Entry Upon Land ("Responses") that "the Department takes the position that parental consent is required before any such interview occurs." Nowhere in that document or in the transmission of that document did you provide anything purporting to be a specific consent form or language that must be used. When we met and conferred on Tuesday, Plaintiffs specifically raised this issue with you and asked whether there was a specific form or language that Defendants would argue was required. You advised you would raise with your clients. After following up with you on Wednesday and still receiving nothing with respect to this, we sent you language for a proposed consent form this morning at 8:16 AM. You now advise at the end of the day today that your clients have not been able to complete their review and proposed changes to a 3-sentence document nor send us anything since we raised this two days ago. That is not reasonable in light of the pending inspection on Monday. It does not appear your clients are acting in good faith.

We are prepared to wait until the end of the day today for any comments your clients may have on the consent form and will consider those. If we do not receive any, we will proceed with having parents sign the consent form I circulated at 8:16 AM this morning and send those to you. If Defendants do not allow Plaintiffs' counsel and consultants to interview those juveniles on Monday and Tuesday, we will seek immediate relief from the Court as well as fees and costs, including for our consultants and their travel.

Best,
Rob



ROBERT L. LINDHOLM PARTNER
robert.lindholm@nelsonmullins.com

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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Thursday, July 18, 2024 5:02 PM

To: Rob Lindholm <robert.lindholm@nelsonmullins.com>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Rob,

We will not be able to get you proposed language by the end of the day today. We can get it to you as soon as it is ready.

If you don't think the turnaround is feasible, then we can either find different dates or we can proceed with the inspections without the interviews.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
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From: Rob Lindholm <robert.lindholm@nelsonmullins.com>
Sent: Thursday, July 18, 2024 4:58 PM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

If your client has any proposed changes, we will consider them. However, we need those by end of the business day today. It's unreasonable to think that we can get these signed by parents by Monday otherwise. Absent those proposed changes by end of the business day today, we will proceed with using the consent form we sent you.

Best,
Rob



ROBERT L. LINDHOLM PARTNER
robert.lindholm@nelsonmullins.com

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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Thursday, July 18, 2024 4:53 PM

To: Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

All,

We're still working with our clients on changes to the proposed consent form. We'll be back in touch as soon as we are able.

Be well,

Orlando

Special Deputy Attorney General

Special Litigation Section

Phone: 919.716.6516

orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Wednesday, July 17, 2024 8:05 PM

To: Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>

Subject: Re: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Soren,

Thanks for the follow up. We've been discussing with the clients and will get back you soon.

Be well,

Orlando L. Rodriguez

From: Soren Young <soren.young@nelsonmullins.com>

Sent: Wednesday, July 17, 2024 5:51:51 PM

To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>

Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

I wanted to follow up on a few items we discussed yesterday relating to the site inspections scheduled for next Monday and Tuesday. In light of the tight timing here, we would really appreciate it if you could get back to us ASAP.

- As we discussed, Plaintiffs consider the conditions of the Cabarrus YDC and Wake Regional Juvenile Detention Center relevant to their claims. You indicated that you would discuss with your clients whether they would agree to Plaintiffs' inspection of both facilities on July 22 and July 23, respectively, as requested in Plaintiffs' Notice of Inspection. Do your clients agree to these inspections?
- Plaintiffs requested to interview juveniles during the facility inspections scheduled for July 22 and July 23. Defendants asserted a number of objections, but it appears to Plaintiffs that Defendants are seeking only that Plaintiffs' counsel obtain parental consent for any juveniles who are not represented by Plaintiffs' counsel in order to interview them on Monday and Tuesday. Is that correct? If that is correct, is there a particular parental consent form that Defendants would like us to use?
- You indicated that you would provide Plaintiffs with a list of the security cameras at each of the facilities scheduled for inspection on July 22 and July 23. Have Defendants been able to locate such lists?

Best,
Soren



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From: Soren Young <soren.young@nelsonmullins.com>
Sent: Friday, July 12, 2024 11:05 AM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Thanks, Orlando.



SOREN YOUNG ASSOCIATE
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From: Rodriguez, Orlando <orodriguez@ncdoj.gov>
Sent: Friday, July 12, 2024 11:03 AM
To: Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Hi Soren. We can.

Be well,

Orlando

Special Deputy Attorney General
Special Litigation Section
Phone: 919.716.6516
orodriguez@ncdoj.gov

Please note messages to or from this address may be public records.

From: Soren Young <soren.young@nelsonmullins.com>
Sent: Friday, July 12, 2024 11:01 AM
To: Rodriguez, Orlando <orodriguez@ncdoj.gov>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>
Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>
Subject: RE: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Orlando,

Can we also discuss these Responses and Objections at our meet and confer on Tuesday?

Best,
Soren



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NELSONMULLINS.COM VCARD VIEW BIO

From: Rodriguez, Orlando <orodriguez@ncdoj.gov>

Sent: Thursday, July 11, 2024 5:22 PM

To: Soren Young <soren.young@nelsonmullins.com>; Tulchin, Matt <MTulchin@ncdoj.gov>; Whitaker, Bethel <bwhitaker@ncdoj.gov>

Cc: Duprey, Michelle <MDuprey@cfcrights.org>; Matthew Lindenbaum <matthew.lindenbaum@nelsonmullins.com>; Donna Tillis <donna.tillis@nelsonmullins.com>; Rob Lindholm <robert.lindholm@nelsonmullins.com>

Subject: Doe 1, et al., v. NCDPS et al, (1:24-CV-17)(MDNC) - Ds' responses to Ps' Request for Entry Upon Land

Counsel,

Attached for service, please find Defendants' objections and responses to Plaintiffs' request for entry upon land.

Be well,

Orlando

Special Deputy Attorney General

Special Litigation Section

Phone: 919.716.6516

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